



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

November 26, 2024

BY ECF

The Honorable Colleen McMahon
United States District Judge
500 Pearl Street
New York, NY 10007

Re: *Knight First Amendment Institute v. Central Intelligence Agency, et al.*, 22 Civ. 1542 (CM)

Dear Judge McMahon:

This Office represents the defendant agencies in this Freedom of Information Act (FOIA) case. We write jointly with counsel for plaintiff in response to the Court's November 21, 2024 order, ECF No. 59, directing the parties to "report[] on the status of the current litigation."

The parties are engaged in active discussion and negotiation over the records at issue in this case. Since the parties' most recent filings last fall (which concerned the timeline for processing the remaining records located by the agencies' searches), the government completed processing, and made final productions in the spring.

In late June, after reviewing the productions, plaintiff provided the government a list of questions about specific records within the productions, including a request for draft Vaughn information explaining the agencies' justifications for a subset of their withholdings. The productions included certain redactions and withholdings that plaintiff anticipates it may challenge. The parties expect that by working through these questions, it may be possible to either narrow or avoid disputes.

The government has now responded to most of these questions, but has been preparing responses to a set of questions related to records produced by the Department of Justice's Criminal Division (CRM) and Office of Information Policy (OIP). CRM has been responding to these questions, including by reprocessing certain records from an earlier production, and the parties are continuing to discuss certain questions. OIP anticipates completing its response by December 20.

Because the parties have been working in good faith to attempt to narrow the issues, we respectfully propose a further status report in approximately two months—or by January 24, 2025.

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We thank the Court for its attention to this matter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Peter Aronoff
PETER ARONOFF
Assistant United States Attorney
Telephone: (212) 637-2697
E-mail: peter.aronoff@usdoj.gov

Counsel for defendants

cc: Counsel for plaintiff (via ECF)